

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

OTSUKA PHARMACEUTICAL CO.,  
LTD.,

Plaintiff,

**y.**

PAR PHARMACEUTICAL, INC.,

**Defendant.**

C.A. No. 13-1979 (RGA)

## ORDER

ORDER

AND NOW, this 10<sup>th</sup> day of March, 2014, upon consideration of the Motion of plaintiff Otsuka Pharmaceutical Co., Ltd. for Judgment on the Pleadings and any response thereto, it is hereby ORDERED:

(D.I.14)  
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1. That the Motion is GRANTED with regard to Count I.
2. That Plaintiff's alternative counts (Counts II and III) are hereby DISMISSED WITHOUT PREJUDICE.
3. That defendant Par Pharmaceutical, Inc.'s counterclaims against Plaintiff are hereby DISMISSED WITHOUT PREJUDICE.

Richard G. Andrews  
J.